

Montana Department of Natural Resources and Conservation
Water Resources Division
Water Rights Bureau

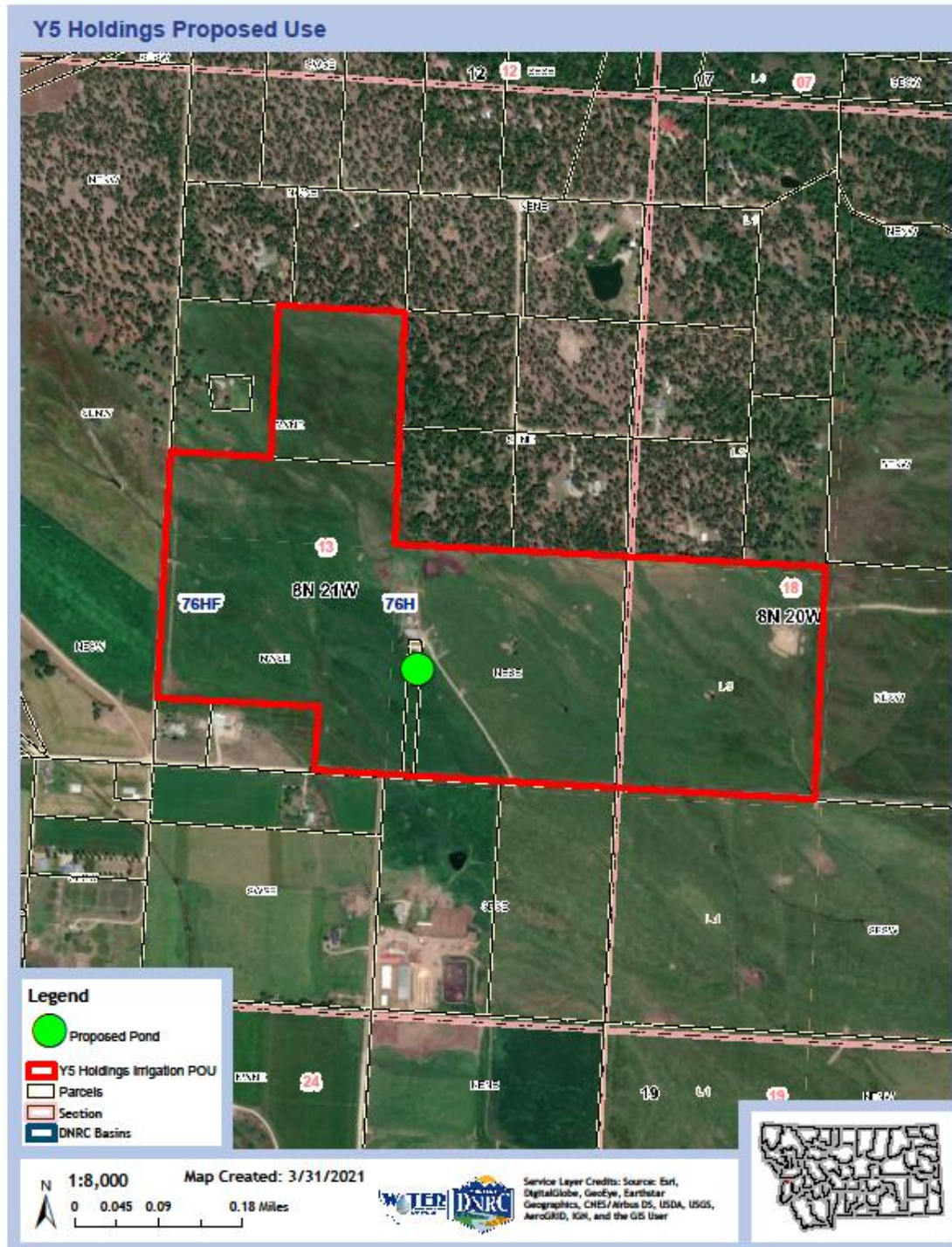
ENVIRONMENTAL ASSESSMENT
For Routine Actions with Limited Environmental Impact

Part I. Proposed Action Description

1. Applicant/Contact name and address: Y5 Holdings LLC
1745 Sutherland Ln
Corvallis, MT 59828-9678
2. Type of action: Application to Change an Irrigation Water Right No. 76H 30147502
3. Water source name: Big Creek
4. Location affected by project:
NWSW Section 18, Twp 8N, Rge 20W, Ravalli County
SWNE, N2SE Section 13, Twp 8N, Rge 21 W, Ravalli County
5. Narrative summary of the proposed project, purpose, action to be taken, and benefits:

The Applicant is proposing to change the purpose of use and add a place of storage for Statements of Claim 76H 125049-00 and 125050-00. The proposed change in purpose is to add a fishery use to the water right. The proposed place of storage will be used as a fish pond for the proposed additional fishery purpose and as a secondary diversion location for two irrigation pumps. The Applicant intends to remove 11 acres from irrigation in order to add the proposed pond.
6. Agency websites consulted during preparation of the Environmental Assessment:
(include agencies with overlapping jurisdiction)

Montana Natural Heritage Program
National Wetlands Inventory
USDA Web Soil Survey
Montana Dept. of Environmental Quality
Montana Dept. of Fish, Wildlife, & Parks



Part II. Environmental Review

1. Environmental Impact Checklist:

PHYSICAL ENVIRONMENT

WATER QUANTITY, QUALITY AND DISTRIBUTION

Water quantity - Assess whether the source of supply is identified as a chronically or periodically dewatered stream by DFWP. Assess whether the proposed use will worsen the already dewatered condition.

Determination: No Significant Impact.

The source of supply for this application is Big Creek. Big Creek is identified by DFWP on a May 2005 Dewatering Concern Areas list as chronically dewatered. The Applicant is proposing to add a place of storage and purpose to their water rights from Big Creek. The Applicant is not proposing to divert any more water than was historically diverted, they are just proposing to change how they use it, therefore no change to the source is expected.

Water quality - Assess whether the stream is listed as water quality impaired or threatened by DEQ, and whether the proposed project will affect water quality.

Determination: No Significant Impact.

Big Creek has not been evaluated by DEQ. The Applicant is proposing to change how they have used water diverted from Big Creek, not how much water they will use from Big Creek.

Groundwater - Assess if the proposed project impacts ground water quality or supply. If this is a groundwater appropriation, assess if it could impact adjacent surface water flows.

Determination: No Significant Impact.

This project is for surface water and should not have any impact to groundwater.

DIVERSION WORKS - Assess whether the means of diversion, construction and operation of the appropriation works of the proposed project will impact any of the following: channel impacts, flow modifications, barriers, riparian areas, dams, well construction.

Determination: No Significant Impact.

The Applicant is not modifying their existing diversion structure.

UNIQUE, ENDANGERED, FRAGILE OR LIMITED ENVIRONMENTAL RESOURCES

Endangered and threatened species - Assess whether the proposed project will impact any threatened or endangered fish, wildlife, plants or aquatic species or any "species of special concern," or create a barrier to the migration or movement of fish or wildlife. For groundwater, assess whether the proposed project, including impacts on adjacent surface flows, would impact any threatened or endangered species or "species of special concern."

Determination: No Significant Impact.

The Montana Natural Heritage Program identified a list of two animal species of concern which can be found in Ravalli County which are listed as "threatened" or "endangered" by the US Fish & Wildlife Service. The species identified are the grizzly bear and the bull trout. No plant

species of concern were identified by the Montana Natural Heritage Program to potentially be in the project area. This project area has already been used for irrigation; this project is just to remove some acres of irrigation to allow for a pond to be installed. It is not anticipated that any of the species of concern will be impacted by the proposed project.

Wetlands - Consult and assess whether the apparent wetland is a functional wetland (according to COE definitions), and whether the wetland resource would be impacted.

Determination: No Significant Impact.

The National Wetlands Inventory website identified freshwater emergent wetlands within the Applicant's existing irrigated acres. Some of the wetlands identified are the lateral ditches within the field used to convey water. It is likely that without irrigation, this entire area would be dry.

Ponds - For ponds, consult and assess whether existing wildlife, waterfowl, or fisheries resources would be impacted.

Determination: No Significant Impact.

There are no existing ponds within the project area, but the applicant is proposing to add a private fish pond on their property.

GEOLOGY/SOIL QUALITY, STABILITY AND MOISTURE - Assess whether there will be degradation of soil quality, alteration of soil stability, or moisture content. Assess whether the soils are heavy in salts that could cause saline seep.

Determination: No Significant Impact.

There will be disturbance on the Applicant's property associated with digging the pond. It is not anticipated that any significant impacts to geology, soil quality, stability and moisture would result from the proposed action because the disturbance will be within the Applicant's historically irrigated field. The Applicant will continue to irrigate the majority of their historically irrigated field.

VEGETATION COVER, QUANTITY AND QUALITY/NOXIOUS WEEDS - Assess impacts to existing vegetative cover. Assess whether the proposed project would result in the establishment or spread of noxious weeds.

Determination: No Significant Impact.

This project is located on land owned by the Applicant. It will be their responsibility to manage noxious weeds and vegetative cover in their pastures.

AIR QUALITY - Assess whether there will be a deterioration of air quality or adverse effects on vegetation due to increased air pollutants.

Determination: No Significant Impact.

There will be no impact to air quality associated with authorization of the proposed change.

HISTORICAL AND ARCHEOLOGICAL SITES - *Assess whether there will be degradation of unique archeological or historical sites in the vicinity of the proposed project.*

Determination: N/A – project not located on State or Federal Lands.

DEMANDS ON ENVIRONMENTAL RESOURCES OF LAND, WATER, AND ENERGY - *Assess any other impacts on environmental resources of land, water and energy not already addressed.*

Determination: No Significant Impact.

No other potential impacts have been identified.

HUMAN ENVIRONMENT

LOCALLY ADOPTED ENVIRONMENTAL PLANS AND GOALS - *Assess whether the proposed project is inconsistent with any locally adopted environmental plans and goals.*

Determination: No known environmental plans or goals will be impacted by this project.

ACCESS TO AND QUALITY OF RECREATIONAL AND WILDERNESS ACTIVITIES - *Assess whether the proposed project will impact access to or the quality of recreational and wilderness activities.*

Determination: No access or recreational activities will be impacted by this project.

HUMAN HEALTH - *Assess whether the proposed project impacts on human health.*

Determination: No impacts to human health have been identified.

PRIVATE PROPERTY - *Assess whether there are any government regulatory impacts on private property rights.*

Yes___ No X___ *If yes, analyze any alternatives considered that could reduce, minimize, or eliminate the regulation of private property rights.*

Determination: No regulatory impacts are known.

OTHER HUMAN ENVIRONMENTAL ISSUES - *For routine actions of limited environmental impact, the following may be addressed in a checklist fashion.*

Impacts on:

- (a) Cultural uniqueness and diversity? No significant impacts identified
 - (b) Local and state tax base and tax revenues? No significant impacts identified
 - (c) Existing land uses? No significant impacts identified
 - (d) Quantity and distribution of employment? No significant impacts identified
 - (e) Distribution and density of population and housing? No significant impacts identified
 - (f) Demands for government services? No significant impacts identified
 - (g) Industrial and commercial activity? No significant impacts identified
 - (h) Utilities? No significant impacts identified
 - (i) Transportation? No significant impacts identified
 - (j) Safety? No significant impacts identified
 - (k) Other appropriate social and economic circumstances? No significant impacts identified
2. *Secondary and cumulative impacts on the physical environment and human population:*
- Secondary Impacts: No secondary impacts have been identified.
- Cumulative Impacts: No cumulative impacts have been identified.
3. *Describe any mitigation/stipulation measures*: None
4. *Description and analysis of reasonable alternatives to the proposed action, including the no action alternative, if an alternative is reasonably available and prudent to consider:*

The only alternative to the proposed action would be the no action alternative. The no action alternative would not authorize the Applicant to reduce the irrigated area size and add a fish pond on their property.

PART III. Conclusion

- 1. *Preferred Alternative*
Issue a change authorization if the Applicant proves the criteria in 85-2-402, MCA, are met.
- 2. *Comments and Responses*

3. *Finding:*
*Yes*___ *No* *X* *Based on the significance criteria evaluated in this EA, is an EIS required?*

If an EIS is not required, explain why the EA is the appropriate level of analysis for this proposed action:

No significant impacts to the proposed project have been identified.

Name of person(s) responsible for preparation of EA:

Name: Nathaniel T. Ward

Title: Program Specialist-New Appropriations

Date: May 6, 2021